

Appl. No. : 08/807,500
Filed : February 27, 1997

REMARKS

Claim 21 has been amended to correct antecedence of terms recited in the claim. No new matter has been introduced by this amendment.

Indefiniteness

The Examiner has rejected Claim 21 under 35 USC §112, second paragraph, as being indefinite. More specifically, the Examiner has indicated that the terms "the nucleotide sequence" recited at lines 4, 6, 8-10, 12, 15, 17, 19, 21, and 23 have no antecedent basis. The Applicant has amended Claim 21 to now recite "a nucleotide sequence" in lanes 4, 6, 8-10, 12, 15, 19, and 22, and "nucleotide sequences" in lanes 17 and 21. Applicants maintain that these amendments address the Examiner's concerns.

Allowable claims

The Examiner has indicated that Claims 3-16, 22, and 28-30 are allowable.

CONCLUSION

It is the Applicant's understanding that the suspension of this application has been lifted. Therefore, in view of the current amendment, Applicant requests an expeditious issuance of the Notice of Allowance. If any question regarding this case remains, the Examiner is invited to contact the undersigned at the telephone number provided below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: October 19, 2004

By: 

Marina L. Gordey
Registration No. 52,950
Agent of Record
Customer No. 20,995
(805) 547-5586

O:\DOCS\MXG\MXG-6141.DOC
101804

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☒ **SKewed/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☒ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.